

Congress of the United States

Washington, DC 20515

August 16, 2023

The Honorable Denis McDonough
Secretary
U.S. Department of Veterans Affairs
810 Vermont Avenue NW
Washington, D.C. 20420

Dear Secretary McDonough:

We write with deep concern that the Department of Veterans Affairs (VA) renewed undue restrictions on veterans' care and once again denied the reality of medical marijuana as a key treatment option for those impacted by post-traumatic stress disorder (PTSD), chronic pain, and other conditions disproportionately harming our veterans. Especially after issuing guidance against recommending medical marijuana as an option for veterans with PTSD,¹ the renewal of Veterans Health Administration Directive 1315's prohibition on VA providers recommending, making referrals, or completing forms for state-authorized medical marijuana is an alarming decision.² We urge you to reconsider this misguided prohibition that prevents these health professionals from considering the full range of available treatment options in consultation with their patients.

Before VA issued the renewal of this harmful policy, we led a divided Congress to pass a provision in the Fiscal Year 2024 Military Construction, Veterans Affairs, and Related Agencies Appropriations Act (H.R. 4366) to end the continued restrictions on VA providers to make recommendations and referrals and to complete forms for state-authorized medical marijuana programs. Since 2014, Congress has also prohibited the use of Department of Justice funds for prosecution against individuals who engage in state-authorized medical marijuana activities. This protection against federal interference in medical marijuana includes the VA providers in the 38 states that have adopted medical marijuana programs.

Giving VA providers the discretion to recommend or not recommend medical marijuana as best serves their patients would improve veterans' services and stop forcing them to self-medicate or seek care outside of the VA system. It would not put providers at risk of federal prosecution from the Department of Justice and its agencies. Many veterans already report using cannabis for medical purposes as a substitute for prescription drugs³ and their side effects. Just this year, new

¹ *VA/DoD Clinical Practice Guideline for Management of Posttraumatic Stress Disorder and Acute Stress Disorder* (2023). Department of Veterans Affairs, Department of Defense. <https://www.healthquality.va.gov/guidelines/MH/ptsd/VA-DoD-CPG-PTSD-Full-CPG.pdf>

² *Access to VHA Clinical Programs for Veterans Participating in State-Approved Marijuana Programs*. Department of Veterans Affairs. https://www.va.gov/vhapublications/ViewPublication.asp?pub_ID=11394

³ Loflin, M. J. E., Babson, K., Sottile, J., Norman, S. B., Gruber, S., & Bonn-Miller, M. O. (2019). A cross-sectional examination of choice and behavior of veterans with access to free medicinal cannabis. *The American journal of drug and alcohol abuse*, pubmed.ncbi.nlm.nih.gov/31135227/.

research found veterans reported medical cannabis “helped them to experience a greater quality of life and... reported using fewer opioids as a result of their medical cannabis use.”⁴

VA is isolated in its continued denial of this treatment option for veterans. No one is better qualified to make recommendations on care for their patients than veterans working with their VA health care providers. We applaud VA’s continued protection from retribution against veterans using medical marijuana. However, reaffirming the prohibition on recommendations, referrals, and forms for state-authorized medical marijuana puts stigma in the VA ahead of the needs of veterans.

It is past time for VA to become a better partner in the path forward on this issue for our veterans. Instead of blocking veterans from equal access to this treatment option, VA should participate in the additional research and education we owe to patients and the public. We urge you to rethink the detrimental prohibition against providers serving their patients to the best of their ability where medical marijuana is authorized and regulated by their states.

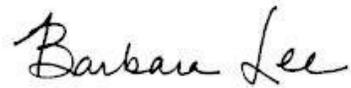
Sincerely,



Earl Blumenauer
Member of Congress



David P. Joyce
Member of Congress



Barbara Lee
Member of Congress

⁴ McNabb, M., Durante, K., Trocchio, S., Brum, A., Mandile, S., White, S. (2023). Self-reported Medicinal Cannabis Use as an Alternative to Prescription and Over-the-counter Medication Use Among US Military Veterans. *Clinical Therapeutics*. [https://www.clinicaltherapeutics.com/article/S0149-2918\(23\)00133-9/fulltext](https://www.clinicaltherapeutics.com/article/S0149-2918(23)00133-9/fulltext).